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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/541,015	06/02/2006	Heiko Schleucher	200558.00008	1966
21324 7590 08/30/2007 HAHN LOESER & PARKS, LLP One GOJO Plaza Suite 300 AKRON, OH 44311-1076			EXAMINER KIM, SANG K	
			ART UNIT 3654	PAPER NUMBER
			NOTIFICATION DATE 08/30/2007	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patents@hahnlaw.com  
akron-docket@hotmail.com

<b>Office Action Summary</b>	<b>Application No.</b> 10/541,015	<b>Applicant(s)</b> SCHLEUCHER, HEIKO	
	<b>Examiner</b> SANG KIM	<b>Art Unit</b> 3654	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on Pre. Amdt. 6/2/06.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 June 2006 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>6/26/06</u> . | 6) <input type="checkbox"/> Other: _____  |

### ***Drawings***

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, a "carabiner hook" as recited in claim 4 (i.e., carabiner is defined as: an oblong metal ring with one spring-hinged side) applicant shows a hook without any spring-hinged side, must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-2 and 5-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Pagenkopf, U.S. Patent No. 2193980.

Regarding claim 1, Pagenkopf '980 discloses a reel 11 comprising: a spool 12; a metal strip (15, i.e., electrical wires have metal properties) having a plurality of loops (i.e., many layers), the metal strip 15 having several coils wound about the spool 12, see figure 1, and a free end of the metal strip extending into a direction of unwinding of the metal strip from the spool, see column 2, lines 17-25, and a retaining device 21 which forms a releasable connection between two points on the metal strip, a first point (no reference number assigned, near 17) close to the free end of the metal strip and a second point in one of a metal strip segment (no reference number assigned, near 16), which is part of a different coil and a point on the spool, see figure 1, wherein the formed connection has a shape-mated design which secures the reel against unwinding at the free end, see column 1, lines 6-35.

Regarding claim 2, Pagenkopf '980 discloses wherein the retaining device 21 comprises two spatially separated functional ends 19, 22, see figure 1.

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Regarding claim 5, Pagenkopf '980 discloses wherein the retaining device 21 is made entirely of synthetic material (i.e., since the material is not made naturally), see column 2, lines 41-43.

Regarding claim 6, Pagenkopf '980 discloses wherein the retaining device 21 is cast as a one-piece part, see figure 1.

Claim 7 is rejected under 35 U.S.C. 102(b) as being anticipated by Sonnenburg, U.S. Patent No. 2513256.

Sonnenburg '256 discloses a retaining device comprising a flat shaft 6; a lug ring 7 at one end; and a hook 5 at the opposite end, see figures 1-5.

The recitation in the preamble of claim that the retaining device for a clip reel for packaging equipment and the reel having a metal strip with loops and wound in at least three coils around a spool, relates only to a possible or intended use of the device being claimed, but does not further structurally limit the device.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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Claims 3-4 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pagenkopf, U.S. Patent No. 2193980, in view of Sonnenburg, U.S. Patent No. 2513256.

Pagenkopf '980 discloses a reel 11 comprising: a spool 12; a metal strip (15, i.e., electrical wires have metal properties) having a plurality of loops (i.e., many layers), the metal strip 15 having several coils wound about the spool 12, see figure 1, and a free end of the metal strip extending into a direction of unwinding of the metal strip from the spool, see column 2, lines 17-25, and a retaining device 21 which forms a releasable connection between two points on the metal strip, a first point (no reference number assigned, near 17) close to the free end of the metal strip and a second point in one of a metal strip segment (no reference number assigned, near 16), which is part of a different coil and a point on the spool, see figure 1, wherein the formed connection has a shape-mated design which secures the reel against unwinding at the free end, see column 1, lines 6-35.

Sonnenburg '256 discloses a retaining device comprising a flat shaft 6; a lug ring 7 at one end; and a hook 5 at the opposite end, which is a carabiner hook since one spring-hinged side 9 is attached to the hook, see figures 1-5.

Pagenkopf '980 discloses the claimed invention except for the retaining device having a hook to retain the material. It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the retaining device of Pagenkopf '980 with the retaining device with a hook at one end as taught by Sonnenburg '256, to prevent the material from detachment.

**Conclusion**

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. U.S. Patent No. 1557603 shows a retaining device with a hook at one end.

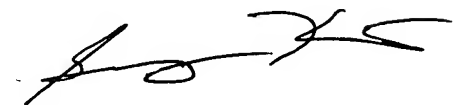
Any inquiry concerning this communication or earlier communications from the examiner should be directed to SANG KIM whose telephone number is 571-272-6947. The examiner can normally be reached Monday through Thursday from 9:00 A.M. to 5:30 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Cuomo, can be reached on (571) 272-6856. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SK

8/21/07

A handwritten signature in black ink, appearing to be 'S. Kim', is located at the bottom right of the page.